

AMENDED

Serial No. 49284

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 20 1985

Returned to applicant for correction OCT 23 1985

Corrected application filed DEC 10 1985 Map filed DEC 10 1985

The applicant Mills & Mills, Inc.

3800 York Lane of Fallon

Street and No. or P.O. Box No.

City or Town

Nevada 89406

State and Zip Code No.

hereby make application for permission to change the

a place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee-Carson Irrigation District No. 556-3-B

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

United States of America v. Orr Water Ditch Co. in Equity No. A.3 Claim No. 3; identify right in Decree.)

United States of America v. Alpine Land & Reservoir Co. D.C. No. D-183 BRT and

State Application No. 47887 (3.5 acres).

1. The source of water is Truckee River & Carson River

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 34.2 acre feet

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$,

Describe as being within a 40-acre subdivision of public survey and by course and

Section 33, Township 19 North, Range 26 East, M.D.B.&M.

distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within no change

If point of diversion is not changed, do not answer.

7. Proposed place of use 7.6 ac. - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T. 19 N., R. 28 E., MDB&M

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use All in Section 27, T. 19 N., R. 28 E., MDB&M. 6.2 ac. - NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

1.4 ac. - NE $\frac{1}{4}$ NW $\frac{1}{4}$. 3.5 ac. in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec 27 T 19 N R 28 E MDB&M is under manner of use of irrigation permit, describe acreage to be removed from irrigation.

Application # 47887.

9. Use will be from as decreed to of each year.

Month and Day

Month and Day

10. Use was permitted from as decreed to of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) dam, canal & ditches

State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works complete

13. Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use 2 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be delivered to the proposed place of use via the "T" Line Canal.

By Truckee-Carson Irrigation District
P.O. Box 1356
Fallon, NV 89406

Compared is/se pm/se

Protested Pro. overruled 6/2/88,
Ruling No. 3528

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3528 dated June 2, 1988.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada by and through pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 34.2 acre cubic feet per second, as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before June 2, 1990

Proof of completion of work shall be filed before July 2, 1990

Application of water to beneficial use shall be made on or before June 2, 1992

Proof of the application of water to beneficial use shall be filed on or before July 2, 1992

Map in support of proof of beneficial use shall be filed on or before July 2, 1992

Completion of work filed SEP 10 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed FEB 03 1998 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed FEB 03 1998 my office, this 2nd day of June

Certificate No. 14880 Issued APR 13 1998 A.D. 19 88

2407 (Rev. 6-81) See Supplemental Ruling on Remand #3772, 2/8/91 WITHDRAWN BY A. J. MORROS JAN 14 1997 State Engineer

STATE ENGINEER per being 2.7 afu 0.60 acres

Abrogated By: 71027-7 3528 Exp. 11-15-01

STATE ENGINEER